

subject matter thereof, and presented as new dependent claims dependent upon claims 1 and 5. Furthermore, claim 1 has been amended.

As to the requirement for election of one of the alleged patentably distinct species identified as species 1 including Figs. 1 and 2; species 2 including Fig. 7; and species 3 including Fig. 8; such requirement is traversed insofar as it is applicable to the present claims, and reconsideration and withdrawal of the restriction requirement are respectfully requested.

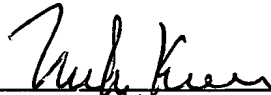
The Examiner contends that currently claims 1, 5 and 9 are generic to species 1, claims 3, 7 and 12 are generic to species 2 and claims 4, 8 and 15 are generic to species 3. Thus, the Examiner recognizes that generic claims are present and applicants submit that upon allowance of a generic claim, claims directed to additional species should also be considered. In this regard, by the present amendment, applicants note that claims 3 and 4 and claims 7 and 8 have been amended to depend from claims 1 and 5, and applicants submit that in a similar manner, claims 12 and 15 and other claims may be considered to be within the scope of other claims. As such, applicants submit that all claims should be considered.

In order to provide a complete response to the election requirement, applicants provisionally elect, with traverse, species 1 which includes Figs. 1 and 2, with claims 1, 5 and 9 being generic thereto, as recognized by the Examiner being readable thereon as well as claims 2, 6 and 10 being readable thereon, with applicants submitting that the type of light as being white light or UV light should also be considered as recited in the dependent claims and other independent claims of this application. Thus, applicants submit that claims 18 and 20, 21 and 23 should also be considered as readable on the elected species.

In view of the above amendments and remarks, applicants request favorable action with respect to all claims present in this application.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (500.39825X00) and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Melvin Kraus", is written over a horizontal line.

Melvin Kraus

Registration No. 22,466

ANTONELLI, TERRY, STOUT & KRAUS, LLP

MK/cee  
(703) 312-6600

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Please amend claim 1 as follows:

1. (amended) A method of detecting an endpoint of polishing processing, comprising the steps of:

concurrently irradiating a film formed on a surface of a wafer under polishing processing with ~~lights~~light having two or more different wavelengths;

detecting reflected lights from said film caused by the irradiation; and

detecting the endpoint of polishing processing of said film on the basis of a relationship between intensities of the detected reflected lights.

Please cancel claims 3, 4, 7 and 8 without prejudice or disclaimer of the subject matter thereof, and add the following new claims:

--18. A method of detecting an endpoint of polishing processing according to claim 1, wherein said light is a white light.

19. A method of detecting an endpoint of polishing processing according to claim 1, wherein in the step of detecting the endpoint, the endpoint is detected on the basis of a spectral intensity of the detected reflected light.

20. A method of detecting an endpoint of polishing processing according to claim 1, wherein said light is a UV light.

21. An apparatus for detecting an endpoint of polishing processing according to claim 5, wherein the light is a white light.

22. An apparatus for detecting an endpoint of polishing processing according to claim 5, wherein the processing means detects the endpoint of polishing processing on the basis of a spectral intensity of the detected reflected light.

23. An apparatus for detecting an endpoint of polishing processing according to claim 5, wherein the light is a UV light.--